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EPISTAR CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

PHILIPS LUMILEDS LIGHTING
COMPANY, LLC,

Plaintiff,

v.

EPISTAR CORPORATION,

Defendant.

Case No. C 05-4521 CW

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE THE APRIL 1,
2008 CASE MANAGEMENT
CONFERENCE**

CMC Date: April 1, 2008
Time: 2:00 p.m.
Location: Courtroom 2, 4th Floor
Judge: Hon. Claudia Wilken

1 EPISTAR CORPORATION,

2 Plaintiff,

3 v.

4 PHILIPS LUMILEDS LIGHTING
5 COMPANY, LLC,

6 Defendant.

7 AND RELATED COUNTERCLAIMS

Case No. C 07-5194 CW

**AMENDED STIPULATION AND
[PROPOSED] ORDER TO CONTINUE
THE APRIL 1, 2008 CASE
MANAGEMENT CONFERENCE**

CMC Date: April 1, 2008

Time: 2:00 p.m.

Location: Courtroom 2, 4th Floor

Judge: Hon. Claudia Wilken

8
9 On January 31, 2008, defendant Philips Lumileds Lighting Company, LLC ("Lumileds")
10 filed a motion to stay in the above-entitled *Epistar Corp. v. Philips Lumileds Lighting Co.*, Case
11 No. 07-5194 CW, seeking to stay the case in its entirety until the conclusion of a related
12 investigation currently pending before the International Trade Commission. (*See* Dkt. Nos. 30-
13 32.) In view of Lumileds' motion to stay, this Court continued the originally scheduled Initial
14 Case Management Conferences for both cases from February 12, 2008 until April 1, 2008. (Case
15 No 07-5194 Dkt. No. 26; *see also* Case No. 05-4521 Dkt. No. 36.) In addition, the Court
16 continued the requirements set forth in Federal Rule of Civil Procedure 26 and Local Civil Rule
17 16. (Case No 07-5194 Dkt. No. 26.) The Court has now taken under submission Lumileds' fully
18 briefed motion to stay and has stated that the motion will be decided on the papers. (*Id.*)

19 Under the current schedule, the parties are required to file a joint case management
20 statement on March 25, 2008 in preparation for attending the April 1, 2008 Conference. In the
21 interest of judicial economy and preserving the parties' resources, Epistar Corporation and
22 Lumileds stipulate and jointly request that the Court continue these dates. Accordingly:

23 The parties hereby stipulate and agree that the case management conference set in both of
24 the above-entitled cases be continued from April 1, 2008 to May 6, 2008. The parties shall file a
25 joint case management conference statement April 29, 2008, seven calendar days prior to the
26 conference pursuant to Civil Local Rule 16-9(a). The parties additionally stipulate and agree that
27 requirements set forth in Federal Rule of Civil Procedure 26 and Local Rule 16 be continued
28 accordingly.

1
2 Dated: March 28, 2008

MORGAN, LEWIS & BOCKIUS LLP

3 By: /s/ Amy M. Spicer
4 Amy M. Spicer

5 Attorneys for Defendant and
6 Counterclaimant
7 PHILIPS LUMILEDS LIGHTING
8 COMPANY, LLC

9 Dated: March 28, 2008

AKIN GUMP STRAUSS HAUER & FELD

10 By: /s/ Yitai Hu
11 Yitai Hu

12 Attorneys for Plaintiff and
13 Counterdefendant
14 EPISTAR CORPORATION

15 **[PROPOSED] ORDER**

16 Pursuant to the parties' Stipulation above, the case management conference for both of the
17 above-entitled cases is continued from April 1, 2008 to May 6, 2008. The parties shall file a joint
18 case management conference statement April 29, 2008, seven calendar days prior to the
19 conference pursuant to Civil Local Rule 16-9(a). In addition, requirements set forth in Federal
20 Rule of Civil Procedure 26 and Local Rule 16 are continued accordingly.

21 **IT IS SO ORDERED.**

22
23 Dated:

24 CLAUDIA WILKEN
25 UNITED STATES DISTRICT JUDGE
26
27

ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Amy M. Spicer, am the ECF user whose ID and password are being used to file this Stipulation to Continue the April 1, 2008 Case Management Conference. In compliance with General Order 45.X.B., I declare under the penalty of perjury under the laws of the United States of America that Yitai Hu has concurred in this filing.

Executed this 28th day of March 2008, at San Francisco, California.

/s/ Amy M. Spicer